

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

JESSE BROWN,	:	
Petitioner,	:	
v.	:	No. 2:18-cv-04512
MARK CAPOZZA, <i>SUPERINTENDENT SCI-FYT</i> ;	:	
LAWRENCE KRASNER, <i>PHILADELPHIA D.A.</i> ; and	:	
JOSH SHAPIRO, <i>PENNSYLVANIA ATTY GEN.</i> ;	:	
Respondents.	:	

O R D E R

AND NOW, this 21st day of December, 2021, for the reasons set forth in the Opinion issued this date, as well as in the Opinion issued on May 4, 2021, *see* ECF No. 39, **IT IS ORDERED**
THAT:

1. Brown's motion for relief, ECF No. 42, is **DENIED** and **DISMISSED**.
2. To the extent that it is dismissed as a successive petition under 28 U.S.C. § 2244, a certificate of appealability is **DENIED**.¹

BY THE COURT:

/s/ Joseph F. Leeson, Jr.
JOSEPH F. LEESON, JR.
United States District Judge

¹ As discussed in the Opinion, the motion is properly construed under Federal Rule of Civil Procedure 59(e) and is currently on appeal. To the extent, however, that the petition may be construed as a successive petition, there is no basis for a certificate of appealability.